

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Richard P. TRACY et al.

Serial No.: 09/822,868

Examiner: Felix E. Suarez

Confirmation No.: 7199

Art Unit: 2857

Filed: April 2, 2001

For: SYSTEM, METHOD AND MEDIUM FOR CERTIFYING AND
ACCREDITING REQUIREMENTS COMPLIANCE

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Petition
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

**PETITION UNDER 37 C.F.R. § 1.182 FOR ACCEPTANCE OF
PREVIOUSLY FILED REQUEST FOR CONTINUED EXAMINATION (RCE)
AND INFORMATION DISCLOSURE STATEMENT (IDS)**

Applicants hereby Petition, under 37 C.F.R. § 1.182, for acceptance of a previously filed Request for Continued Examination (RCE). The facts supporting this Petition are outlined below.

On June 6, 2003, a second Notice of Allowance was mailed (to prior counsel) in connection with the above-identified, instant application. Subsequently, on August 15, 2003, a second RCE was timely and properly filed (by prior counsel) in connection with the instant application. Applicants submitted the following with the second RCE:

- An Information Disclosure Statement (IDS) submission (as required by 37 C.F.R. § 1.114(c)); and
- An Authorization to charge prior counsel's deposit account for the required fee (as required by 37 C.F.R. § 1.114(d)).

Recently, during a telephone conversation with Examiner Suarez (the Examiner to whom the instant application is assigned), regarding some documents recently filed in the application, it became apparent that the second RCE had either not been received by the Patent and Trademark Office (PTO), or had not been matched up with the file. A review of the Patent Application Information Retrieval (PAIR) system confirmed that the second RCE (and accompanying IDS) had not been entered in the instant application.

A copy of the second RCE, the accompanying IDS submission, and the stamped post card receipt (bearing the OIPE's stamp, dated August 15, 2003) are attached in support of this Petition.

Conclusion

Accordingly, Applicants respectfully request that the previously filed (second) RCE dated August 15, 2003 be accepted retroactively, that prosecution on the merits be re-opened pursuant to 37 C.F.R. § 1.114 retroactively, and that the submission accompanying the RCE (as well as any additional papers and documents filed on or subsequent to August 15, 2003, including the Revocation and New Power by Assignee filed September 12, 2003 and the Information Disclosure Statement filed October 15, 2003) be considered by the Examiner.

If this Petition is granted, Applicants respectfully request and hereby authorize the fee required by the RCE to be charged to Deposit Account No. 50-1283, as the deposit account authorization on the face of the RCE lists prior counsel's deposit account number.

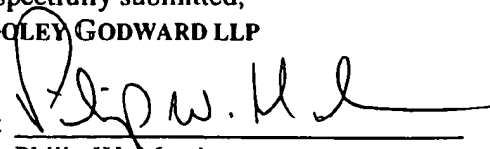
Should there be any questions regarding this Petition, it is respectfully requested that the undersigned be contacted via telephone at 703-465-8108.

Applicants believe that no fee is required because this Petition is necessary to correct PTO error. In the event that a fee is deemed necessary for this Petition, however, the Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: 12/17/03

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Respectfully submitted,
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